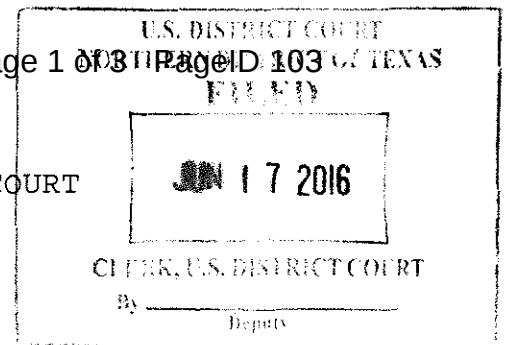


IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION



UNITED STATES OF AMERICA           §  
  §  
VS.                                   § NO. 4:16-CR-032-A  
  §  
H. WAYNE McMULLEN               §

ORDER

At the sentencing hearing conducted in the above-captioned case in which H. WAYNE McMULLEN is the defendant, the court considered the motion of the government to bifurcate the sentencing hearing and to continue the restitution feature of the hearing to a later date. Defendant, through his counsel, stated that defendant did not object to the court granting the government's motion. Therefore,

The court ORDERS that there be a bifurcation of the sentencing hearing with all aspects of the sentencing hearing other than the restitution aspect to go forward on the date of the signing of this order and with the restitution aspect to be separated out and to be heard at 10:00 a.m. on July 21, 2016.

The court further ORDERS that if an agreement is reached between counsel for the parties and the victim in advance of the July 21, 2016 hearing as to an appropriate amount for the court to order as restitution, the parties immediately make known to the court that such an agreement has been reached.

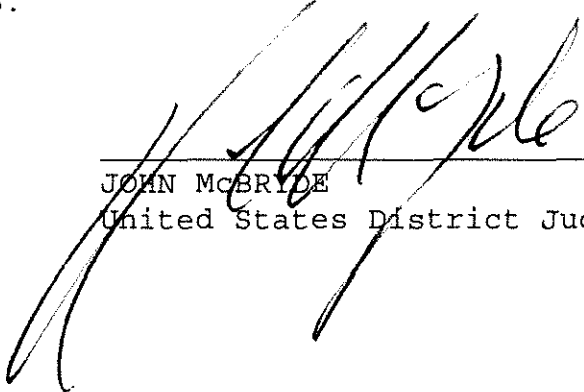
The court further ORDERS that as to witnesses and exhibits to be offered at the July 21, 2016 hearing:

- (1) By 2:00 p.m. on July 18, 2016, United States of America and defendant each shall file a witness list and an exhibit list.
- (2) The parties shall not file exhibits prior to the hearing, but shall have the originals and one copy thereof available immediately prior to the hearing. Each exhibit that will be offered at the hearing shall bear the case number of this action in addition to the exhibit number and identity of offering party.
- (3) The witness list shall be accompanied, when it is filed, by a statement as to each witness of each subject matter upon which the witness will be asked to testify. The witness list shall include one column bearing the heading "Sworn" and another bearing the heading "Testified" to help the court keep track of the witnesses at the hearing.
- (4) The exhibit list shall be accompanied, when it is filed, by a statement signed by counsel for each party, other than the party who will be offering the exhibit, stating as to each exhibit shown on the list either that the parties agree to the admissibility of the

exhibit or the nature and legal basis of any objection that will be made to the admissibility of the exhibit and the identity of the party or parties who will be urging the objection. All parties are required to cooperate in causing such statements to be prepared in a timely manner for filing with the exhibit lists. The party proposing to offer an exhibit shall be responsible for coordinating activities related to preparation of such a statement as to the exhibit such party proposes to offer. No exhibit will be offered at the hearing unless such a statement has been timely filed as to the exhibit. The exhibit list shall include one column bearing the heading "Offered" and another bearing the heading "Admitted."

- (5) No party is permitted to adopt as, or in, the party's witness list or exhibit list all or any part of the witness list or exhibit list of the other party.

SIGNED June 17, 2016.



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JOHN McBRIDE  
United States District Judge